

REMARKS

1. Amendments

Claims 21, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 have been amended. Applicants reserve the right to pursue the original claims and other claims in this application and in other applications.

2. Response to Election of Species Requirement

In response to the election of species requirement, Applicants hereby provisionally elect the species corresponding to FIG. 5 with traverse. At least claims 21, 23, 25, 29, 31, 32, 35, 36, 37, 40, 41 and 42 read on the elected species.

The election is made with traverse at least in part because the election requirement does not address claims 23 and 25 and Applicants believe that these claims are generic.

In addition, the office action asserts that the election requirement is proper because there is an “examination and search burden for these patentably distinct species . . .” Applicants, however, believe that no additional burden would be assumed by examining and searching the claims of the identified species at least for the reason that most of the claims have already been examined and made the subject of prior office actions. That is, at least claims 21-34 have been searched and examined together on multiple occasions. In fact, the procedural history of this application shows that these claims have been searched, finally rejected many times and appealed. Therefore, because claims 21-34 have been examined and searched concurrently several times before, then no serious burden can be imposed by concurrently examining these claims once again. That is, Applicants assert that the examination record itself demonstrates that there is no serious burden to the concurrent search and examination of at least claims 21-34.

Applicants’ election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to not more than

a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all of the limitations of an allowed generic claim as provided by 37 CFR 1.146. Applicants respectfully submit that at least claims 21, 23, 25, 31, 35, 40 and 41 are generic.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

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Respectfully submitted,

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